

104TH CONGRESS
1ST SESSION

S. 1196

To transfer certain National Forest System lands adjacent to the Townsite of Cuprum, Idaho.

IN THE SENATE OF THE UNITED STATES

AUGUST 11 (legislative day, JULY 10), 1995

Mr. CRAIG introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To transfer certain National Forest System lands adjacent to the Townsite of Cuprum, Idaho.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Cuprum Townsite Re-
5 lief Act of 1995”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—The Congress finds and declares
8 that:

9 (1) In 1899, the citizens of Cuprum, Idaho,
10 commissioned E.S. Hesse to conduct a survey de-

1 scribing those lands occupied by their community.
2 The purpose of this survey was to provide a basis for
3 their application for townsite a patent.

4 (2) In 1909, the Cuprum Townsite patent
5 (Number 52817) was granted, based on an aliquot
6 parts description which was intended to circumscribe
7 the Hesse survey.

8 (3) Since the date of patent, the Hesse survey
9 has been used continuously by the community of
10 Cuprum and by Adams County, Idaho, as the official
11 townsite plat and basis for conveyance of title within
12 the townsite.

13 (4) Recent boundary surveys conducted by the
14 United States Department of Agriculture, Forest
15 Service, and United States Department of the Inte-
16 rior, Bureau of Land Management, discovered incon-
17 sistencies between the official aliquot parts descrip-
18 tion of the patented Cuprum Townsite and the
19 Hesse survey. Many lots along the south and east
20 boundaries of the townsite are now known to extend
21 onto National Forest System lands outside the town-
22 site.

23 (5) It is the determination of Congress that the
24 original intent of the Cuprum Townsite application

1 was to include all the lands described by the Hesse
2 survey.

3 (b) PURPOSE.—It is the purpose of this Act to amend
4 the 1909 Cuprum Townsite patent to include those addi-
5 tional lands described by the Hesse survey in addition to
6 other lands necessary to provide an administratively ac-
7 ceptable boundary to the National Forest System.

8 **SEC. 3. AMENDMENT OF PATENT.**

9 (a) The 1909 Cuprum Townsite patent is hereby
10 amended to include parcels 1 and 2, identified on the plat,
11 marked as “Township 20 North, Range 3 West, Boise Me-
12 ridian, Idaho, Section 10: Proposed Patent Adjustment,
13 Cuprum Townsite, Idaho” prepared by Payette N.F.—
14 Land Survey Unit, drawn and approved by Tom Betzold,
15 Forest Land Surveyor, on April 25, 1995. Such additional
16 lands are hereby conveyed to the original patentee, Pitts
17 Ellis, trustee, and Probate Judge of Washington County,
18 Idaho, or any successors or assigns in interest in accord-
19 ance with State law. The Secretary of Agriculture may
20 correct clerical and typographical errors in such plat.

21 (b) The Federal Government shall survey the Federal
22 property lines and mark and post the boundaries nec-
23 essary to implement this section.

1 **SEC. 4. RELEASE.**

2 Notwithstanding section 120 of the Comprehensive
3 Environmental Response, Compensation and Liability Act
4 of 1980, as amended (42 U.S.C. 9620), the United States
5 shall not be liable and shall be held harmless from any
6 and all claims resulting from substances or petroleum
7 products or any other hazardous materials on the con-
8 veyed land.

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